

REC'D TH
REGULATORY AUTH.

BELLSOUTH

BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201-3300

615 214-6301
Fax 615 214-7406

99 OCT 29 PM 3 44
Guy M. Hicks
General Counsel

October 29, 1999

OFFICE OF THE
EXECUTIVE SECRETARY

VIA HAND DELIVERY

The Honorable Gary Hotvedt, Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: *Petition by ICG TELECOM GROUP, INC. for Arbitration of an Interconnection Agreement with BELLSOUTH TELECOMMUNICATIONS, INC. pursuant to Section 252(b) of the Telecommunications Act of 1996*
Docket No. 99-00377 ✓ *Both*

Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. pursuant to the Telecommunications Act of 1996
Docket No. 99-00430 ✓

Dear Mr. Hotvedt:

Enclosed for your review and consideration is a Motion for Approval of Agreed Procedural Rules. These Rules relate to the consolidation of the ICG reciprocal compensation issue in the DeltaCom arbitration hearing.

As you can see, I have executed the Motion on behalf of BellSouth Telecommunications, Inc. and Henry Walker has authorized me to sign the document on behalf of ICG. I am not aware of any problems that DeltaCom has with these procedural "ground rules" but I have not received confirmation from counsel for DeltaCom as to whether or not they agree to these proposed procedural rules. I will notify you immediately if I hear from DeltaCom.

Very truly yours,


Guy M. Hicks

GMH/jem

Enclosure

FILE

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

IN RE: *Petition by ICG Telecom Group, Inc. for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996*

Docket No. 99-00377

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OFFICE OF THE
EXECUTIVE SECRET

MOTION FOR APPROVAL OF AGREED PROCEDURAL RULES

On October 12, 1999, the Directors of the Tennessee Regulatory Authority, acting in their capacity as Arbitrators, approved ICG Telecom Group, Inc.'s ("ICG's") Motion to Consolidate ICG's reciprocal compensation issue into the hearing scheduled for November 1-3, 1999 in the ITC^DeltaCom Arbitration (Docket No. 99-00430). Immediately following the Arbitrators' deliberations, a pre-arbitration conference was held by the Hearing Officer in the ICG proceeding for the purpose of resolving certain discovery disputes and other matters. During that conference, counsel for ICG and BellSouth agreed to negotiate procedural rules relating to the hearing of the consolidated reciprocal compensation issue.

Subsequent to the pre-arbitration conference, counsel for BellSouth, ICG and DeltaCom agreed to the following procedural rules:

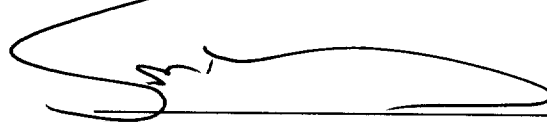
1. Counsel for ICG may conduct cross-examination of BellSouth witnesses provided that such cross-examination relates directly ICG's reciprocal compensation issue. Counsel for ICG and ITC^DeltaCom shall endeavor to avoid duplicative or redundant cross-examination.
2. Counsel for ICG and ITC^DeltaCom shall not engage in "friendly cross-examination" of each other's witnesses regarding any issue.

These procedures are consistent with Authority Rule 1220-1-3-.09, which provides that any consolidation of arbitrations shall not prejudice or harm the interest of any party.

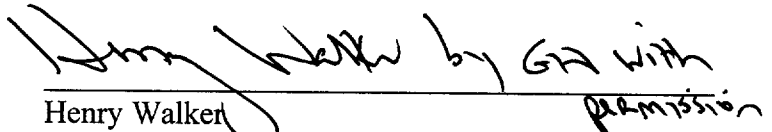
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BellSouth, ICG and ITC^DeltaCom respectfully request that the Hearing Officer approve these procedural rules.

Respectfully submitted,



Guy M. Hicks
BELLSOUTH TELECOMMUNICATIONS, INC.
333 Commerce St., # 2101
Nashville, Tennessee 37201-3300
(615) 214-6301



Henry Walker
Counsel for ICG Telecom Group, Inc.
BOULT, CUMMINGS, CONNERS & BERRY
414 Union Street, Post Office Box 198062
Nashville, Tennessee 37219-8062

H. LaDon Baltimore, Esquire
Counsel for ITC Delta^Com
FARRAR & BATES
211 Seventh Ave. N, # 320
Nashville, Tennessee 37219-1823

APPROVED AND ENTERED THIS

____ DAY OF _____, 1999.

Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 1999, a copy of the foregoing document was served on the parties of record, via the method indicated:

☒ Hand
☐ Mail
☐ Facsimile
☐ Overnight

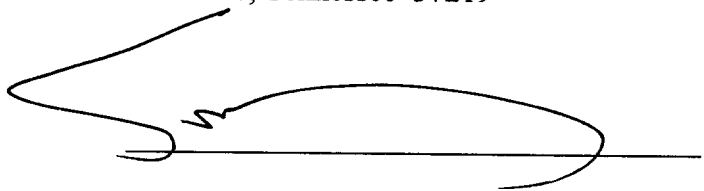
Gary Hotvedt
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

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Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Avenue, #1600
Post Office Box 198062
Nashville, Tennessee 37219-8062

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☐ Overnight

H. LaDon Baltimore, Esquire
Farrar & Bates
211 Seventh Avenue North, #320
Nashville, Tennessee 37219

A handwritten signature in black ink, appearing to read 'H. LaDon Baltimore', is written over a horizontal line.



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Guy M. Hicks
General Counsel

October 29, 1999
EXECUTIVE SECRETARY

VIA HAND DELIVERY

The Honorable Gary Hotvedt, Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
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Re: *Petition by ICG TELECOM GROUP, INC. for Arbitration of an Interconnection Agreement with BELLSOUTH TELECOMMUNICATIONS, INC. pursuant to Section 252(b) of the Telecommunications Act of 1996*
Docket No. 99-00377

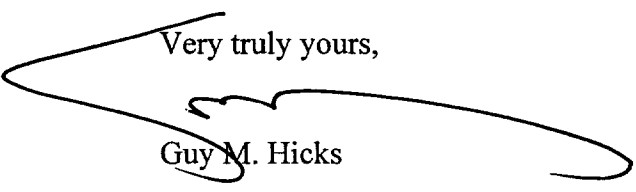
Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. pursuant to the Telecommunications Act of 1996
Docket No. 99-00430

Dear Mr. Hotvedt:

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BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

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REGULATORY AUTH.

NOV 1 PM 3 03
IN RE:

Petition by ICG Telecom Group, Inc. for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996

EXECUTIVE SECRETARY

NOV 1 PM 3 03
EXECUTIVE SECRETARY

Docket No. 99-00377

MOTION FOR APPROVAL OF AGREED PROCEDURAL RULES

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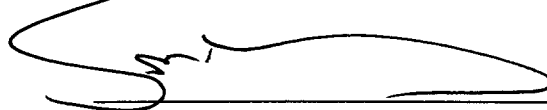
Subsequent to the pre-arbitration conference, counsel for BellSouth, ICG and DeltaCom agreed to the following procedural rules:

1. Counsel for ICG may conduct cross-examination of BellSouth witnesses provided that such cross-examination relates directly ICG's reciprocal compensation issue. Counsel for ICG and ITC^DeltaCom shall endeavor to avoid duplicative or redundant cross-examination.
2. Counsel for ICG and ITC^DeltaCom shall not engage in "friendly cross-examination" of each other's witnesses regarding any issue.

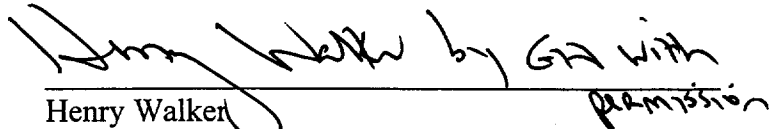
These procedures are consistent with Authority Rule 1220-1-3-.09, which provides that any consolidation of arbitrations shall not prejudice or harm the interest of any party.

BellSouth, ICG and ITC^DeltaCom respectfully request that the Hearing Officer approve these procedural rules.

Respectfully submitted,



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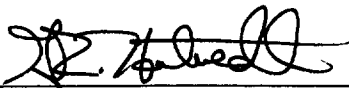
Henry Walker
Counsel for ICG Telecom Group, Inc.
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Nashville, Tennessee 37219-8062



H. LaDon Baltimore, Esquire
Counsel for ITC Delta^Com
FARRAR & BATES
211 Seventh Ave. N, # 320
Nashville, Tennessee 37219-1823

APPROVED AND ENTERED THIS

1 DAY OF November, 1999.



Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 1999, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

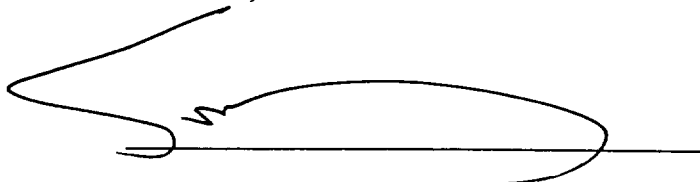
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A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be the name of the certifier.